

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Paten and Trademark Office Address: COMMISSIONER FOR PATENTS FOR BOX WO Alexandrid, Virginia 22313-1450

APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,428	<u> </u>	04/19/2001	Donald A. Smalley	1330.1013-C2	8921
21171	7590	08/24/2005		EXAM	INER
STAAS &	HALSE	Y LLP	GYORFI, THOMAS A		
SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				ART UNIT	PAPER NUMBER
				2135	
•				DATE MAILED: 08/24/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)			
Notice of Abandonment	09/837,428	SMALLEY ET AL.			
	Examiner	Art Unit			
	Tom Gyorfi	2135			
The MAILING DATE of this communicatio	n appears on the cover sheet wi	th the correspondence address			
This application is abandoned in view of:					
Applicant's failure to timely file a proper reply to the     (a)    A reply was received on (with a Certificat period for reply (including a total extension of times).	te of Mailing or Transmission dated	1), which is after the expiration of the			
(b) ☐ A proposed reply was received on, but it	does not constitute a proper reply	under 37 CFR 1.113 (a) to the final rejection.			
(A proper reply under 37 CFR 1.113 to a final re application in condition for allowance; (2) a time Continued Examination (RCE) in compliance with	ly filed Notice of Appeal (with appe				
(c) ☐ A reply was received on but it does not c final rejection. See 37 CFR 1.85(a) and 1.111.		fide attempt at a proper reply, to the non-			
(d) ⊠ No reply has been received.					
Applicant's failure to timely pay the required issue f from the mailing date of the Notice of Allowance (P)		e, within the statutory period of three months			
(a) The issue fee and publication fee, if applicable), which is after the expiration of the statu Allowance (PTOL-85).	e, was received on (with a tory period for payment of the issu	Certificate of Mailing or Transmission dated e fee (and publication fee) set in the Notice o			
(b) The submitted fee of \$ is insufficient. A b	alance of \$ is due.				
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$					
(c) $\square$ The issue fee and publication fee, if applicable,	has not been received.				
3. Applicant's failure to timely file corrected drawings a Allowability (PTO-37).	s required by, and within the three	-month period set in, the Notice of			
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.					
(b) ☐ No corrected drawings have been received.					
4. The letter of express abandonment which is signed the applicants.	by the attorney or agent of record	, the assignee of the entire interest, or all of			
5. The letter of express abandonment which is signed 1.34(a)) upon the filing of a continuing application.	by an attorney or agent (acting in	a representative capacity under 37 CFR			
6. The decision by the Board of Patent Appeals and In of the decision has expired and there are no allowed		d because the period for seeking court review			
7.   The reason(s) below:					
See attached Interview Summary					
		15- B			
		Primary Examiner			
		Primary Examiner Art Unit 2135			
		<b>7</b> Car			
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to minimize any negative effects on patent term.  S. Patent and Trademark Office	withdraw the holding of abandonment	under 37 CFR 1.181, should be promptly filed to			
	otice of Abandonment	Part of Paper No. 20050809			